

Sixth Appellate District

San Jose, California

TUESDAY, JANUARY 19, 1999

H016639 PEOPLE v. HUNT

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Premo, Acting P. J., Elia, J.)
Filed January 19, 1999

H015954 VUNCK v. JACKSON NORTH HOMEOWNERS ASSOCIATION, et al.

The judgment is affirmed. Jackson's procedurally inadequate request for sanctions is denied. Defendants shall recover their appellate costs. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P. J., Wunderlich, J.)
Filed January 19, 1999

H016857 AMERICAN EAGLE INSURANCE v. INBOUND AVIATION, et al.

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Cottle, P. J, Bamattre-Manoukian, J.)
Filed January 19, 1999

WEDNESDAY, JANUARY 20, 1999

H019310 ROSE MARIE C. v. SUPERIOR COURT; MONTEREY COUNTY
DEPARTMENT OF SOCIAL SERVICES, et al.

The petition for extraordinary writ is denied. (not published)
(Bamattre-Manoukian, Acting P. J.; We concur: Wunderlich, J., Mihara, J.)
Filed January 20, 1999

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P.J.; Premo, J., Elia, J.; and Jane Varize, Deputy Clerk.

H018202 PEOPLE v. JUAREZ

Cause called and argued by Martin Kaye, Deputy Attorney General, appearing for respondent and by Melissa Hill appearing for appellant. Cause ordered submitted.

H017983 PEOPLE v. BRIXEY

Cause called and argued by Raymond Cardozo, Deputy Attorney General, appearing for respondent and by Eileen Kotler appearing for appellant. Cause ordered submitted.

H017996 IN RE RENE G., A MINOR

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Cause called and argued by Ross Moody, Deputy Attorney General, appearing for respondent and by Paul Kleven appearing for appellant. Cause ordered submitted.

Wednesday, January 20, 1999 (continued)

H017963 PEOPLE v. STORMS

Cause called and argued by David Salmon, Deputy Attorney General, appearing for respondent and by Philip McGough appearing for appellant. Cause ordered submitted.

H018786 CITY OF SAN JOSE v. SUPERIOR COURT OF SANTA COUNTY;
VOGEL

Cause called and argued by Robert Fabela appearing for petitioner and by Dennis Lempert appearing for respondent. Cause ordered submitted.

H016280 IN RE MARRIAGE OF AMY AND DUANE NACK

Cause called and argued by Bernard Wolf appearing for appellant and by Joel Franklin appearing for respondent. Cause ordered submitted.

Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P.J.; Premo, J., Elia, J.; and Nancy M. Olea, Deputy Clerk.

H017742 PEOPLE v. MELIUS

Cause called and argued by Peter Goldscheider appearing for Appellant and by Martin Kaye, Deputy Attorney General, appearing for Respondents. Cause ordered submitted.

H017518 PEOPLE v. LEMUS

Cause called and argued by Carla Johnson appearing for appellant and by Laurence Sullivan, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H018293 PEOPLE v. GERKIN

Cause called and argued by Manual Baglanis appearing for appellant and by Seth Schalit, Deputy Attorney General, appearing for respondents. Cause ordered submitted.

H017604 PEOPLE v. FERNANDEZ

Cause called and argued by Paul Bernstein appearing for

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appellant and by Amy Haddix, Deputy Attorney General, appearing
for respondents. Cause ordered submitted.

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H017998 ANDERSON-BECKER, et al. v. CITY OF HOLLISTER

Cause called and argued by Caryn N. Fabian appearing for appellants and by Yale Rohlf appearing for respondents. Cause ordered submitted.

H017054 FOX v. KRAMER

Cause called and argued by John M. Ross appearing for appellants and by Tyler Draa appearing for respondents. Dr. Kramer and Dr. Kushin, and Terry Anastassiou appearing for respondent Good Samaritan Hospital. Cause ordered submitted. Court is adjourned.

H016582 PEOPLE v. CARRANZA, et al.

The concurrent term for petty theft is stayed. In all other respects the judgment is affirmed. (not published)
(Mihara, J.; We concur: Cottle, P. J, Bamattre-Manoukian, J.)
Filed January 20, 1999

H018129 PEOPLE v. MONTANA

The judgment is affirmed. (not published)
(Cottle, P. J.; We concur: Premo, J., Elia, J.)
Filed January 20, 1999

THURSDAY, JANUARY 21, 1999

H017567 RUGE FAMILY PARTNERSHIP, et al. v. CITY OF MORGAN HILL;
CITIZENS FOR ORDERLY RESPONSIBLE DEVELOPMENT

The order denying Ruge's motion to enforce judgment is reversed. The case is remanded, and the trial court is directed to hear the matter on the merits. Appellants are awarded costs on appeal. (not published)
(Premo, J.; We concur: Cottle, P. J., Elia, J.)
Filed January 21, 1999

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P.J.; Premo, J., Elia, J.; and R.W. Norvelle, Deputy Clerk.

H017155 PEOPLE v. FORTWENGLER, et al.

Cause called and argued by Lori Quick appearing for appellant and by Christina Kuo, Deputy Attorney General, appearing for appellant. Cause ordered submitted.

H015688 HANOVER MONTERRA INVESTORS II v. HOLM

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Cause called and argued by Ralph W. Thompson appearing for appellant and by Anne K. Secker appearing for respondent. Cause ordered submitted.

Thursday, January 21, 1999 (continued)

H016935 PEOPLE v. GRIFALL

Cause called and argued by David Carico appearing for appellant and by Richard A. Rochman, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H018106 DAN CAPUTOI CO. v. BOSTROM-BERGEN METAL PRODUCTS

Cause called and argued by Frederick W. Flowers appearing for appellant and by Richard A. Bunn appearing for respondent. Cause ordered submitted.

H017661 SCOLARI v. NORTHCUTT, et al.

Cause called and argued by Christopher Der Manuelian appearing for appellant and by Donald T. McMillian appearing for respondent. Cause ordered submitted.

H017511 ORR v. UNIVERSITY NATIONAL BANK AND TRUST COMPANY, et al.

Cause called and argued by James C. Orr, appellant appearing in propria persona, by Roberta Duffy appearing for respondents Palmatier, et al., by Daniel Fadenrecht appearing for respondent First United Methodist Church, by Ashley M. Winn appearing for respondent Polse, by Vincent Hurley appearing for respondent Huddleston and by Kathleen Frank appearing for appearing for respondent University National Bank and Trust Company. Cause ordered submitted. Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P. J., Elia, J., Wunderlich, J. and Judy Son, Deputy Clerk.

H016085 PEOPLE v. MORENO

Cause called and argued by Matthew Wilson appearing for appellant and by Mia Anna Mazza, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H016789 PEOPLE v. CARPENTER

Cause called and argued by Joseph Shipp appearing for appellant and by David D. Salmon, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

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H018379 PEOPLE v. SUPERIOR COURT OF SANTA CLARA COUNTY; ROAM

Cause called and argued by Kelly Raftery appearing for petitioner and by Norman Russell appearing for respondent. Cause ordered submitted.

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Thursday, January 21, 1999 (continued)

H017403 ESTATE OF ALAN HELENIUS, DECEASED; CHRISTOPHER A.
HELENIUS v. MARTIN MARTINEZ

Cause called and argued by James S. Farrar appearing for
appellant. Cause ordered submitted. Court is adjourned.

FRIDAY, JANUARY 22, 1999

H017267 PEOPLE v. WOESTHOFF

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P. J.; We concur: Wunderlich, J.,
Mihara, J.)

Filed January 22, 1999

H018421 PEOPLE v. HOANG

The order is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P. J.,
Wunderlich, J.)

Filed January 22, 1999

H017325 NATIONAL UNION FIRE INSURANCE, et al. v. SUPERIOR COURT
OF SANTA CLARA COUNTY & AMFAC DISTRIBUTION

Let a peremptory writ of mandate issue directing respondent
court to vacate that portion of its order of July 18, 1997, which
compels production of documents and answers to deposition
questions by petitioner National Union Fire Insurance Company,
and enter a new and different order denying real party in
interest Amfac Distribution Corporation's motion to compel with
respect to the production of documents and answers to deposition
questions which concern insured-insurer communications protected
by the attorney-client privilege. Each party to bear its own
costs in this writ proceeding., (not published)
(Elia, J.; We concur: Premo, Acting P. J. Wunderlich, J.)

Filed January 22, 1999

H017867 PEOPLE v. GOMEZ

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P. J.,
Wunderlich, J.)

Filed January 22, 1999